IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO.12249 of 2004

Between:

W.Narayana, s/o Vittal,

R/o Mudhole Village, Adilabad District.

..... PETITIONER

AND

1 The Industrial Tribunal-cum-Labour Court, represented by its Chairman, Godavarikhani, Karimnagar District.
2 The Depot Manager, APSRTC, Nirmal, Adilabad District.
3 The Regional Manager, APSRTC, Adilabad Region, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to call for the records from the respondent Corporation and issue an appropriate writ, order or direction, particularly one in the nature of writ of mandamus, declaring that the order passed by the 3rd respondent in proceedings No.AMP/372(10)/04-RM:ADB, dated 27-4-2004, and the conditions imposed by the 1st respondent in I.D.No.260 of 1992,dated 6-2-1995 as illegal, unjust, contrary to law, arbitrary, perverse and violative of Articles 14, 16 and 21 of the Constitution of India and grant all consequential benefits and pass such other order or orders as deemed fit and proper under the circumstances of the case

Counsel for the Petitioner:MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondent No.: SMT.G.JYOTHI KIRAN, GP FOR LABOUR

The Court at the admission stage made the following Order:

The petitioner suffered an order from the respondents by way of removal from service. The Industrial Tribunal, by order dated 06-02-1995, set aside the order of removal, and directed the appointment of the petitioner as “Fresh-Conductor”. The award was published and it became enforceable. The petitioner, having succeeded before the Industrial Tribunal approached the respondents after a period of seven years, and at this stage questions the conditions imposed by the Industrial Tribunal by filing this writ petition.

Learned Counsel for the petitioner drew the attention of this Court to an unreported judgment of this Court in W.P.No.20617 of 1999, dated 11-07-2002, contending that the conditions imposed by the Industrial Tribunal in its order dated 06-02-1995 are onerous, and the same are liable to be set aside.

The petitioner has not approached this Court with clean hands and the delay of seven years is not properly explained. At this stage, it is not desirable for this Court to invoke the extraordinary jurisdiction and grant any relief.

The Writ Petition is devoid of merits and the same is dismissed. No costs.

19-07-2004

usd

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chariman, Industrial Tribunal-cum-Labour Court,
   Godavarikhani, Karimnagar District.
2 The Depot Manager, APSRTC, Nirmal, Adilabad District.
3 The Regional Manager, APSRTC, Adilabad Region,
   Adilabad.

4. 2CCs to GP for Labour, High Court of A.P., Hyderabad (o.u.t)

5. 2CD copies